

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

NORMA CAMPOS,

Plaintiff,

v.

TOLTECA ENTERPRISES, INC.;
PHOENIX RECOVERY GROUP; and
DOE 1-5

Defendants.

**Civil Action No. SA-14-CV-0874-RP
(consolidated with 5:15-CV-045-RP)**

PLAINTIFF’S MOTION FOR ADDITIONAL ATTORNEY’S FEES

Plaintiff, NORMA CAMPOS, by and through undersigned counsel, hereby moves for \$1,562.50 in additional attorney’s fees incurred after her motion for summary judgment, which the Court entered on July 6, 2015. In support of this motion, Plaintiff states:

1. On October 3, 2014, Plaintiff filed this action (“Campos I”) alleging violations of 15 U.S.C. 1692(d)(6) and 1692(e)(11).
2. On October 8, 2014, Plaintiff filed a second action (“Campos II”) alleging a violation of 15 U.S.C. 1692(c)(a)(2) as Civil Action No. 5:15-cv-045.
3. On March 31, 2015, this Court ordered the two cases (“Campos I” and “Campos II” to be consolidated), but not before Plaintiff filed a motion for summary judgment as to the “Campos I” causes of action.

4. On July 6, 2015, this Court entered summary judgment in Plaintiff's favor as to the "Campos I" causes of action (15 U.S.C. 1692(d)(6) and 1692(e)(11)). The "Campos II" cause of action (15 U.S.C. 1692(c)(a)(2)) remained to be litigated.

5. Plaintiff suffers from multiple sclerosis and does not wish to continue with protracted litigation on the remaining cause of action.

6. Plaintiff therefore moved to dismiss her remaining cause of action (15 U.S.C. 1692(c)(a)(2)) and requested that the Court determine her damages and enter final judgment against TOLTECA ENTERPRISES, INC. d/b/a PHOENIX RECOVERY GROUP. (Dkt. #29).

7. Plaintiff necessarily incurred \$1,562.50 in attorney's fees in addition to that sought in her motion for summary judgment in "Campos I". No damages, including attorney's fees or costs have been sought or awarded for "Campos II."

8. Plaintiff's counsel has provided a detailed billing summary of the additional hours spent on the case including paralegal/staff hours. (See Exhibit A). Plaintiff's counsel has provided a Declaration in Support of the Attorney's Fees. (See Exhibit B).

9. Counsel have conferred pursuant to Local Rule CV-7(i). Defendant TOLTECA ENTERPRISES, INC. d/b/a PHOENIX RECOVERY GROUP is opposed to the instant motion with respect to Plaintiff's counsel's billing rate. Defendant believes the appropriate billing rate to be \$250.00/hr. as opposed to \$300.00/hr.

Date: October 27, 2015

s/Robert Amador
Robert Amador, Esq.
Attorney for Plaintiff Norma Campos
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CERTIFICATE OF SERVICE

I CERTIFY that on this date, October 27, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Thomas A. Clarke
Attorney for TOLTECA ENTERPRISES, INC. and PHOENIX RECOVERY GROUP
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s/Robert Amador
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